

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION**

ROGER D. SCHILLING, ET AL.,

Civil Action No. 02-72834

Plaintiff(s),

District Judge George Caram Steeh
Magistrate Judge Virginia M. Morgan

v.

CMS ENERGY CORP, ET AL,

Defendant(s).

ORDER GRANTING PLAINTIFF'S MOTION TO WITHDRAW

This matter is before the Court on Plaintiffs' Motion to Withdraw Without Prejudice their Motion to Compel Production of Withheld Memorandum filed August 26, 2005. Counsel for the moving party advises the Court that the parties are working on resolving the above matter.

Therefore, IT IS ORDERED that Plaintiff's Motion to Withdraw without Prejudice IS GRANTED. IT IS FURTHER ORDERED that Plaintiff's Motion to Compel Production of Withheld Memorandum is deemed WITHDRAWN without Prejudice. If the Motion to Compel cannot otherwise be fully resolved by the parties, the motion may be renewed by refiling.

SO ORDERED.

Dated: September 20, 2005

s/Virginia M. Morgan

VIRGINIA M. MORGAN

UNITED STATES MAGISTRATE JUDGE

Copies sent by U.S. mail or electronic means this date to:

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